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ABSTRACT

A committee was appointed by New York's Commissioner of Education to study the state's progress in fulfilling a 1958 legislative mandate that all residents of the area served have free direct access to the resources and services of all member libraries in a public library system. To carry out its mission, the committee: (1) sent a six page questionnaire to the 22 public library systems; (2) sent letters to 700 public and association libraries asking for comments on their experiences with direct access; (3) held meetings and hearings; (4) studied numerous reports, studies, and data contained in the files of the Division of Library Development; and (5) sent letters to out-of-state library agencies. General findings indicate that there is an overwhelming approval of the concept of direct access; 18 of the 21 library systems responding to the questionnaire indicate no serious problems or inequities stemming from direct access; and what serious problems were reported were found to be concentrated in areas of rapid suburban growth. Additional findings are summarized, along with narrative statements on the tenets of the direct access concept, recommendations to remedy identified problems as a result of the committee's investigations, and recommendations for future consideration. Appendices include excerpts from education law and regulations of the Commissioner of Education pertaining to direct access, the questionnaire sent to the library systems, and selected statements made at committee hearings. (JPF)

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ED151027

REPORT OF THE COMMISSIONER OF EDUCATION'S COMMITTEE ON DIRECT ACCESS 1974

U.S. DEPARTMENT OF HEALTH
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COMMISSIONER'S COMMITTEE ON DIRECT ACCESS

11 October 1974

Hon. Ewald B. Nyquist
Commissioner of Education
State Education Department
Albany, New York 12224

Dear Commissioner Nyquist:

Throughout the country, New York State has become known and revered for its commitment to excellence in library service. Over the years various Commissioner's Committees have done much to contribute to this development. It is the hope of this current committee that the report it is now submitting will similarly advance the objectives of the department and of the legislators who have for so long supported state-aided library services.

The appointment of the committee was announced on October 19, 1973 and it has met a total of fourteen full working days. Attendance by the members was generally good with only illness or long standing commitments necessitating absences. Two members could not participate as fully as they would have liked. Correspondence related to their support of the final report may be found in the appendix.

The interest, enthusiasm and dedication of the committee members made service on the committee both pleasurable and memorable. The opportunity to share experiences and to consider statewide problems was an educational benefit for all.

The support and encouragement from the field was most helpful. Questionnaires were answered and memos were responded to with due consideration and speed. Thus, considerable input from the field was achieved as is evidenced from a reading of the report.

In submitting the report, I would be remiss if I did not acknowledge fully the support of the staff of the Division of Library Development in their efforts to lighten the work of the committee by assuming much of the burden of handling details of duplicating material, mailing minutes and making room arrangements, and much, much more.

Finally, the knowledge and experience of S. Gilbert Prentiss, consultant to the committee, is everywhere evident in the final report of this group. His ability to summarize documents and reports, his talent for getting to the heart of a problem and his quiet, calm manner during some stormy sessions did much to bring the work of this committee to a swift conclusion.

The taxpayers of New York State and you, the Commissioner, should find at least two reasons to approve this report. First, it takes a giant step toward improving library service statewide by making access to service easier. Second, it achieves this without asking for additional state aid to accomplish its goals.

Thank you on behalf of all the committee for the opportunity to serve. If we can be of any help in bringing about the implementation of the recommendations of the report, the committee stands ready to continue its service.

Sincerely yours,

Andrew Geddes
Chairman

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INTRODUCTION

The commendable practice of making the services and resources of all member libraries in a public library system available without charge to all residents of the area served by the system has been a mandatory feature of the public library system program in New York State since the 1958 legislation, under which most of the present systems were established, and under which substantial State aid for libraries was first made available. The natural fear of some libraries that, because of proximity and differing levels of fiscal support for library service, they would be overrun by borrowers from neighboring communities was a less happy by-product of the same legislation. Fortunately, in most systems those apprehensions have been put to rest by subsequent experience; however, in certain others the apprehensions appeared by 1973 to be sufficiently well-founded so that late in 1973 Commissioner of Education Ewald B. Nyquist appointed 15 persons to a Committee on Direct Access, charging them to "...study the various aspects of this requirement in terms of the variations found in different areas of the State, in order to make positive recommendations concerning the future continuation or modification of this requirement."

The strong undercurrent of concern over the free direct access requirement has surfaced repeatedly throughout the period of public library system development in the State. In addition to problem situations involving a single library or system, there have been, from time to time, occasions when the mounting distress of a number of libraries resulted in official action by the Education Department intended to alleviate that distress. The first such action provided that interlibrary loans would meet the requirement for free direct access during the 5-year period of "temporary approval" of a new system. As several of the systems approached the termination of their temporary approval, however, they again expressed fear that forcing member libraries to offer free direct access might well mean disaster for the infant systems. Responding to their concern, the Commissioner of Education, in 1964, called an official hearing on the question, and the period of temporary approval was extended from 5 years to 8 years. While this seemed less a solution than a deferment of the real issues, nevertheless, as the systems reached the end of the extended terms of temporary approval all except one were able to meet the requirements for full approval. In order to accommodate to the difficulties which that one system was still having in meeting the direct access requirement, the regulations were further modified in 1968 to provide that henceforth it would not be necessary to extend free direct access to jurisdictions exceeding 10,000 population which could establish local libraries but had not done so.

With the notable exception of a successful program for compensating member libraries established in a single system, achievement of the full approval status did not bring any solutions to whatever free direct access problems certain member libraries were having. In fact, because the conditions which were at the root of those problems not only did not go away but grew in intensity, the problems also continued to become more onerous. It has become increasingly clear since that there may be some situations in the State where implementation of the free direct access requirement is the cause of serious inequities, and that these

situations must be identified and studied in the context of the library systems' program as a whole. The present Committee on Direct Access has been given this responsibility. Specifically, the committee was charged to consider the following issues:

1. Where has the present direct access requirement produced problems, and where has it not?

2. What are the major identifiable causes for the existence of problems in certain areas, and their absence in other areas?

3. Is the magnitude of the problem different in different areas, and what is the level of difficulty which demands relief?

4. What are the positive opportunities for improving equity among libraries which are coparticipants in a free direct access agreement?

5. To what extent would better minimum standards for local library support and operation, geared to the differences inherent in the various public library systems, alleviate alleged problems of inequity?

6. Should the provisions of free direct access be applied to all types of library materials and the full range of library programs, or be more specifically defined?

7. How can existing or additional support from counties or the State be utilized most effectively?

In carrying out its charge, the committee has solicited the knowledge, viewpoints, and suggestions of all who might contribute to its understanding of the problems and its search for solutions. The major sources of information were as follows:

1. A six-page questionnaire returned by 21 of the 22 public library systems.[1]

2. Twenty-nine responses to letters sent to approximately 700 public and association libraries in the State asking for their experiences with free direct access and their suggestions.

3. Thirty-nine responses to letters sent to the state library agencies in all other states asking for information on their experiences with free direct access.

[1] See Appendix II.

4. Appeals in THE BOOKMARK and in library system publications soliciting comments and suggestions.

5. Meetings and discussion on free direct access and the work of the committee at the 1974 annual public library systems conference in May.

6. Statements presented at a hearing held by the full committee in New York City on May 16, 1974.[2]

7. Numerous reports, studies, data, and various information from the Division of Library Development files, the library systems, and many other sources.

8. Finally, but by no means last in importance, the committee members themselves brought to their task every possible point-of-view and a vast amount of knowledge and direct experience in matters relating to free direct access.

The report which follows responds to Commissioner Nyquist's charge, presenting what the committee found to be the essential facts, what it holds to be the implications of those facts, and what it feels might be done to improve the situation. A short glossary defines some of the terms as they are used in the report. The appendixes contain supplementary information such as the sections of Education Law and the Commissioner's Regulations relating to free direct access, a copy of the questionnaire sent to systems which was used in gathering information, and the statements presented at the May 16 hearing.

[2]See Appendix III.

DEFINITIONS

Several terms which are used throughout the report in a specialized sense are here defined.

FDA (Free Direct Access)

Access, of course, means that persons are allowed to use the resources and services of a library. In this context access implies the use of all member libraries in a public library system by all of the residents of the area legally served by the system. "Direct" access implies that the use shall be in person, as distinguished from an interlibrary loan. "Free" direct access means that there will be no charge to the user, either for the individual transaction or in the form of an annual or other nonresident fee, although the library used may be reimbursed in some way from system funds or other sources.

In the strictest sense, FDA covers all types of in person library use, including reference and other uses which may not result in the borrowing of materials for use outside the library. As is explained in the report, however, the most pressing problems at this time involve the loan of materials; thus the use of the term throughout the bulk of the report applies only to that aspect of FDA.

Library System

A library system, as used herein, refers to one of the 22 public library systems established under Education Law and receiving State aid under that law. It should be understood that as the term is used here, especially in such situations as, for example, "...the library system should establish such rules as..." the reference is to the library system as a whole, not simply the system headquarters. It is assumed that the member libraries will also be involved in determining any action affecting the member libraries, through whatever machinery has been established in a particular system for governing the system.

Plus Use

When a member library in a library system lends more materials to persons living outside the legal service area of that library than the residents of its legal service area borrow from other libraries, the difference is usually referred to in this report as plus use.

Resident, Nonresident

Although it will generally be clear from the context what is intended, it might be pointed out that as these terms are used in this report their meaning is dependent on the context in which they are used. To cite one example, a person is a resident of the areas served by both his home library and the library system of which his home library is a member; at the same time, he is a nonresident as far as other member libraries in the system are concerned, and his use of these libraries is dependent on FDA.

Service Area, Area of Service

As used here, the service area of a public library is the area which that library is chartered to serve, plus any areas which it contracts to serve. For

all practical purposes it is the area encompassing those persons who are contributing to the support of that library.

The service area of a public library system includes that area, and the population therein, on which State aid for that system is computed. Presumably, all of the persons in that area are receiving library service of some kind, either from a member library or directly from the system headquarters. In a few systems there are some areas which are within the boundaries which that system might serve, but which for some reason are not served and are not so claimed by the system.

The terms "legal service area" or "legally served" are often used interchangeably with "service area" or "served."

FINDINGS

This section of the report attempts to highlight the FDA experience in New York State as revealed by the considerable body of information assembled by the Committee on Direct Access - questionnaires, letters, documents, and oral testimony from systems, member libraries, library users, and from state library agencies in 39 other states.

Attitudes towards FDA

Since the present reexamination of FDA is in direct response to signals of distress from systems and member libraries over problems attending the application of the FDA regulation, it would not have been surprising if a substantial segment of the response had expressed a fundamental unhappiness with the concept itself.

This did not prove to be the case, however. The principle of FDA was characterized almost without exception in such favorable terms as "absolutely essential to the whole system program," "basic," and "very important." In fact, some of the strongest supporting statements came from those member libraries which may be suffering most from the inequities that have been building up in a few situations. Notwithstanding the pleas for relief from some of the especially onerous conditions encountered in implementing FDA, the evidence reaching the committee shows that almost all persons feel that the free flow of users from library to library within the public library systems is useful and should be continued.

Several systems and member libraries mentioned that they consider FDA to be a quid pro quo for the State aid received by the systems.

Compliance with the FDA Requirement

All systems make direct loans, in person, to residents of the system's legally served area, with five systems reporting restrictions as to the age of users - they must be adults, usually ninth grade or above. Two systems restrict the type of materials lent - the restrictions applying largely to nonbook materials. It seems likely that there are other systems where some individual member libraries apply restrictions, but there were none so reported. While there seem to be only four systems where records of FDA loans have been kept consistently, or on a systemwide basis, many of the more heavily used member libraries report FDA loans running from a quarter to a third of their total circulation, and one library reports that 72 percent of its circulation is FDA.

Apparently, all public libraries in systems serve residents and nonresidents alike in respect to "in-library" or "onsite" use. In fact, only for the purposes of an occasional survey have public libraries attempted to identify nonresident in-library users. No systems or member libraries reported any attempts to measure the volume, to say nothing of the cost, of this type of FDA.

On the FDA-related question of whether books may be returned to any library in a system, 17 systems apparently consider this a useful service, and in general find no serious problems with it. Of the remaining systems, one allows returns to be made either to the lending library or the user's home library. Two others allow returns to be made to any member library, on request, but do not publicize the service; and the two remaining systems allow returns to be made only to the lending library.

Only five systems indicated that they contain, within the system's potential service area, areas not claimed as "legally served" by the system. One of these is the service area of a public library which withdrew from the system because of FDA problems, but which continues to extend FDA.[3] In another system bookmobile service is provided by contract with otherwise unserved areas, and FDA to other libraries in the system is extended to the residents of such areas. Most libraries in systems throughout the State provide for purchase of nonresident cards, but practice varies in respect to extending FDA to such cardholders. One system sells a systemwide borrower's card which is good in all member libraries.

The Users

Except for knowing, in some high-use FDA situations, what localities the nonresidents are coming from, there is very little hard data on characteristics of the users or the type of uses they are making. One system reports, "use is largely circulation for student needs and in-house reference"; another states, "60% recreational, 20% research, 20% student." An *Access Study, Prepared for the Ramapo Catskill Library System*, by Richard Debus, in 1972, offers the following,

> ...the largest single reason (for FDA use) given System-wide is "more materials." However,...the convenience factors - more convenient hours, employed in community, easily accessible, and convenient to shopping - total 4907 responses while "more materials" totals 3286....The profile of the...patron...appears to be a female, under the age of 35....Of the five (5) items offered for the purpose of the visit "taking out materials" was...78.2%.... 34.6% of the visitors indicated that they came for reference assistance....This analysis indicates that the visiting library user is not in fact drawn by services other than basic library functions of reference and fiction books and card catalog use.

[3] Since the drafting of this report, the system from which this library withdrew has instituted a plan for reimbursing its member libraries for plus use, and the library in question has rejoined the system.

In *A Study of the Use of Eleven Libraries in Westchester County, New York*, prepared for the Westchester Library System in 1969 by James E. Bryan and Bernard Schein, the following analysis of users is presented.

> There were more out-of-school adults than students in six libraries in Phase I. Students were in the majority in seven libraries in Phase II.
>
> In both Phases high school students had the largest representation in most of the libraries as compared with college students and the upper elementary/junior high group.
>
> ...a major concentration of people up to the age of 25 (except in two libraries) with a markedly steep decline in all libraries after age 55....
>
> College-educated adults predominated....
>
> Employed adults constituted the majority of out-of-school users in seven libraries; homemakers were predominant in the other four....
>
> Non-resident students, to a greater extent than any other category indicated that they used more than one library, followed in this respect by non-resident adults.
>
> Inadequacy of their hometown libraries was the reason given by most non-resident adults and students for coming to an out-of-town library.
>
> A large majority of the adults in most of the libraries came to borrow recreational reading. Student use was primarily school-related.
>
> In the libraries, encyclopedias and general reference books were the types of materials most used by students. Adults indicated interest in a variety of materials.
>
> For home use adult borrowing was fairly evenly divided between fiction and non-fiction. Student borrowing was primarily non-fiction....

The Problems

At least 16 of the systems reported simply that they see no existing or potential problems or inequities as a result of FDA. The following problems were mentioned, or implied, in one or more of the remaining questionnaires, and in letters and testimony from persons representing systems and individual member libraries in those systems.

As would be expected, the evidence clearly indicates that, where FDA use occurs in amounts sufficient to create problems, such use is occurring in

libraries which are stronger than accessible neighboring libraries. "Stronger" in this sense may mean either larger in size or funded at higher levels; usually it implies both. Thus, the major problems or inequities, existing and potential, involve a situation where a stronger library is not adequately compensated for extensive services to nonresidents. The stronger library may be the central library in a system or simply any library that offers services that are in some way more attractive than its neighbor libraries.

While little supporting data have been provided, it is argued that weaker libraries or areas with no libraries are being frustrated in their efforts to improve their situation - budgets are defeated, building programs are rejected, and so forth - because the taxpayers have access to good neighboring libraries at no cost. At the same time, boards of trustees and appropriating bodies for the stronger libraries are reported to be questioning the need for increasing their support when so large a proportion of their use is by nonresidents. An opposite manifestation of the same problem is reported from another system where "two libraries have been started on promise of FDA to all libraries in the county."

It is evident that often the type of use which is creating problems involves the heavy borrowing of recent and other materials which are in the greatest demand by resident borrowers - popular new books and materials used by students. Other problems reported by heavy FDA-use libraries have to do chiefly with a higher rate of loss for FDA borrowers, and growing and unwieldy lists of delinquents. Again, a minimum of data was submitted which would provide evidence of the magnitude of these problems, although there seems no question but that they are real enough.

Causes of the Problems

First among the causes of the foregoing problems created by FDA would have to come the reasons why library users cross service area boundary lines in the first place. The relatively few comments on this aspect of the problem made by respondents fall into the following two major categories:

1. In order to use resources and services which seem superior to their own.

2. Convenience.

    a. Travel patterns often do not conform to the boundaries of political subdivisions.

    b. Hours of opening.

Except for the two FDA use studies already quoted from, no hard evidence was submitted which would indicate which of these two major factors might be the more important. In any event, the reasons for the wide discrepancies in quality which occur among neighboring libraries can be several.

1. In many cases it is simply a matter of unwillingness of a locality to tax itself. An outstanding example is pointed out in a letter to the committee from a resident of the area in question:

> In the Town of (X)...the residents of the (Y) School District support a school district library for which they are taxed in 1973-74 at 46¢ per $100 of assessed valuation. Residents of the neighboring school district in the same Town support 5 association libraries for which they are taxed 19.35¢ per $100 (same assessment rate). Yet there is no discernible difference between the two districts in total tax base, socio-economic character or any similar measure. One is forced to conclude that the other district would more readily support library service worthy of an upwardly mobile, suburban community if it did not have such an inexpensive option....Though the (Y) Public Library receives some additional reimbursement from the Town this does not equalize either the tax burden or quality of service.

Similarly, another system reports that four unserved areas "which could support libraries" account for 85 percent of the 50,000 unserved in the county.

2. The range and quality of library resources and services which are possible at any given level of per capita support is directly related to the size of the support base. Thus, it is inevitable that smaller communities, even though they may make the same effort, will be outclassed by their larger neighbors.

3. Some communities, because of such factors as lower income levels, low valuations, population dispersion, and so forth, simply cannot afford to support a library program at as high a level as a neighboring community.

4. Some unserved areas may not be coterminus with the boundaries of any political subdivision having authority to tax for library purposes. This is especially likely to occur in rapidly growing suburban areas.

5. It is clear from the questionnaire responses, as well as from other sources, that most of the real FDA hot spots are occurring in rapidly growing suburban areas adjacent to an established library, and it can be inferred that in addition to the other factors already mentioned, there is bound to be a natural time lag before many suburban communities acquire a sufficient degree of social, political, and fiscal entity to recognize the problem in any formal sense and then to proceed through the series of steps necessary before library service becomes a reality. The fact that in densely populated suburban areas public libraries tend to be located much closer to each other also undoubtedly encourages library users to use libraries other than their home library.

It is important to recognize that the reasons why people take advantage of FDA - better service and greater convenience - are perfectly legitimate ones; in fact, they are undoubtedly the same reasons which prompted the framers of the original State-aid-to-systems law to make FDA a requirement for full approval. Actually, the problem may not be FDA use per se, or even overuse, but FDA use which is not reimbursed, or is inadequately reimbursed. It could even be reasoned that often it would be of advantage to a library to serve large numbers of nonresidents if the library were adequately compensated, as a means of gaining some of the advantages of larger volume, thereby reducing unit costs.

Although the subject of larger tax bases will be discussed in more detail in another section of this report, it should be noted here that in a number of upstate systems with strong central cities FDA problems have been forestalled or alleviated by shifting from the city as the support base to full or nearly full county support. Erie County, Schenectady County, and Monroe County are examples, with Onondaga to follow soon. In a number of instances, shifting from village to town support is reported to have had the same effect in smaller communities and suburban areas.

One upstate system reports that there might well be problems there except for the "attitude" of the larger libraries, which apparently are not feeling imposed upon at this point. Most of the rural areas report no problems with FDA, but at least three commented that stronger libraries do tend to attract more users, and one noted that there are many persons receiving some kind of service without paying anything in support of a local library. A comment from the director of a predominantly rural system may represent the attitude of some other rural systems, "Our libraries tend to be under-used and they are generally delighted to welcome people from distant or neighboring communities."

Regardless of the existing situation, one has to assume that the same conditions which are creating problems in some systems now will create the same problems elsewhere if similar conditions develop in the future, even though it is unlikely that they ever will be duplicated on the same scale as in the suburbs of New York City.

Attempts to Cope with the Problems

Since, by definition, FDA users are drawn from an area beyond and outside the library's tax support base, one obvious solution to FDA problems is to enlarge the base of support until it encompasses most of the users. State funding of the public library systems is, of course, an application of this principle, and is the rationale on which the legal FDA requirement rests.

The next unit below the State in the hierarchy of political subdivisions in New York State is the county, followed by the town, school district, and village. Among the public library systems, the three which serve New York City and the Buffalo and Erie County system are consolidated or federated

systems financed on a systemwide tax base, and there can be no FDA problems there. As has already been noted, the Schenectady County Public Library and all other local library service in Schenectady County is financed by the county. The Rochester Public Library's central library in 1968 shifted from city support to 75 percent support by Monroe County, and the director reports that six libraries have shifted from full village support to full or partial town support Onondaga reports that "Onondaga County is committed to 100% support of the Central Library (Syracuse) as soon as reorganization can be accomplished."

Other systems have sought county support, with varying degrees of success. Several receive partial county support, which is sometimes earmarked for a specific purpose - often bookmobile service to rural areas without local libraries. Likewise, many local village or city libraries receive some support from towns. In the areas which are suburban to New York City, the support base of many public libraries is a school district. In some situations school districts have the advantage of covering a larger area than a village library might. In some others, however, school district boundaries may create FDA problems because they do not conform to concentrations of population or major travel patterns.

Where systems do receive partial support from a county or counties, it might be assumed that this should provide, or at least improve, library service to all residents of the county. Actually, partial county support may only compound the inequities. The evidence indicates that in very few situations, if any, is partial aid from counties solving the FDA problem, any more than it is solved by the relatively substantial amounts of State aid paid to the systems. Unless these funds in some way get back to the libraries which are providing the services, the inequities are in no way corrected.

Only one instance was reported in which a system actually contracts to serve an otherwise unserved or poorly served area; however, it should be noted that this is what occurs when a system operates a bookmobile program, whether financed by State, county, or town funds. Another system reports that the public library in the central city contracts to serve two nearby towns and operates branches in those towns. It is felt that this has forestalled potential FDA problem situations. No other examples were reported of this kind of specific contractual relationship between a local library and a neighboring area without its own library, although there may be others.

The situation in respect to the central libraries in systems, which often carry the major burden of FDA use, especially in respect to interloans and reference use, has some different aspects but is essentially the same in principle. Central libraries have accepted the prospect of heavy nonresident use in return for special compensation in materials, services, and extra funds.[4]

[4] See Education Law §273 and Commissioner's Regulations 90.4.

Several systems report, however, that their greatest FDA-related concern is on behalf of the central library which feels, rightly or wrongly, that the cost of FDA services it is rendering exceeds the value of the benefits it receives from the system.

It is relevant to note that in one system a major library has withdrawn from the system for this reason,[5] and in another system, a cocentral library threatens to withdraw.

Only two systems indicate that they compensate member libraries specifically for FDA overuse, with one more planning to do so in the coming year. Several noted that they make special grants to the central library. Buffalo and Erie County Public Library reports that "libraries more widely used by county residents...will probably be given larger budgets," although this is not compensation in the strictest sense. A cooperative system reports making annual grants to five "county reference centers," but points out that these grants are not intended as compensation for FDA, but are meant to strengthen the libraries' reference resources so that there will be at least one strong reference library in each county. The implications of this arrangement would certainly seem to be something of a quid pro quo, nonetheless. The only system to report paying for interloans pays 50 cents for each book borrowed to fill an interloan request from another member library through the system.

The most direct approach to dealing with excessive FDA use attempts to compensate member libraries in proportion to the amount of "overuse" or "plus use" - the extent to which they lend more materials to nonresidents than their own residents borrow from other libraries. Nassau is the only system reporting which appears to have kept a systemwide record of loans made by member libraries by place of residence of the borrower, and annually computes the amount of plus use in each library. Libraries are then paid 25 cents per plus use from system funds; $65,000 has been budgeted for this purpose in 1974. Recently, some unhappiness has existed among the member libraries, who felt that the 25 cents is inadequate, but after an analysis of costs it appears that an increase is not in order.

Ramapo Catskill has budgeted funds for overuse, and a similar plan will be employed.

Westchester pays $12,000 annually to nine member libraries according to a formula which employs a "non-resident circulation factor," as indicated in the following table. (It is also noteworthy that the first 10 percent of FDA is exempt from compensation.)

Percent	Factor
0 - 9	0
10 - 19	.2
20 - 29	.4
30 - 39	.6
40 - 49	.8
50+	1.0

Plus Units x Factor = Weighted Units. Weighted Units x $2.005 = Payment to Library. (The $2.005 is arrived at by dividing the total weighted units into the $12,000 allocated for this purpose.)

[5] See Footnote 3, page 7.

The comments from Westchester on the committee's questionnaire seemed to imply something less than complete satisfaction with the present arrangement. Also, it is interesting to note that the previously referred to *A Study of the Use of Eleven Libraries in Westchester County, New York* recommended that, "Reimbursement grants for service to non-residents be replaced by grants based on total service activity including circulation, reference, telephone reference and advisory activity regardless of the residence of users."

It is obvious that the cash reimbursement of member libraries for plus use from system funds would present a difficult problem for those systems which have not budgeted funds for this purpose in the past and now find that inflation is making it increasingly difficult even to meet longstanding commitments for other services member libraries have come to expect.

With respect to other FDA problems which may be plaguing libraries - heavy runs on high-demand materials and the control of delinquent borrowers - there is little that member libraries legally can do under the present law and regulations. Some libraries have imposed various penalties, of dubious legality, on other libraries whose borrowers may have abused, or may be expected to abuse, FDA rights. In a recent instance where a library withdrew FDA from a neighboring community for what it considered to be lack of cooperation in dealing with delinquent borrowers, the matter was taken to court by the community from which FDA was withheld, and the right of access to the first library was upheld.

Other steps taken by libraries to protect themselves from FDA inequities include such devices as simply not making FDA available to new borrowers unless they actually ask for it, and efforts to impose some kind of minimum standards of support and performance on libraries as a condition for eligibility for FDA. Again, however, these steps are probably not legal under existing law, and it appears that where there is reasonably adequate compensation for FDA use, libraries would prefer to comply in general with both the letter and the spirit of the law, anyway.

FDA in Other States

Thirty-nine other state library agencies responded to a question inquiring simply what their FDA experiences have been. Obviously, the statewide library structure in most states is sufficiently different from New York State so that comparisons are difficult; nevertheless, 29 of the total reported that within whatever systems exist in their states, FDA is an important aspect of the program. Seven of the 29 further pointed out that FDA is a mandated requirement of their system programs. At least 10 have not yet achieved full coverage by library systems, so that FDA coverage is likewise incomplete in those states. Two states, where rural libraries predominate, indicated that they have avoided pressing for FDA because they felt it would place an unfair burden on the larger libraries.

Surprisingly, only one state reported any serious FDA problems, other than the quite typical one of a few libraries holding out from a system because of

the fear of FDA inequities. In this case the system reporting the problems serves an urban and suburban population under conditions quite similar to those in New York State where difficulties are occurring. The director of the system states, "Paying for what we call reciprocal borrowing is the most serious problem we have in our System. If anything threatens our System, it is the dissatisfaction over inequities in the reciprocal borrowing payment formula." A plan for compensating member libraries is in effect in this system, and apparently in other systems in that state.

On the basis of some reading between the lines and some sheer speculation, in addition to the facts reported by the state library agencies, it would appear that the major reasons why more states did not report problems might be:

1. Many of the systems involved are consolidated systems, or at least they are financed on relatively large tax bases, such as counties.

2. Many of the larger libraries either are directly compensated for FDA services or they are receiving rewards of some kind which they feel to be an adequate quid pro quo.

3. In some states there are fewer, if any, areas where the conditions are comparable to those areas in New York State which are experiencing serious FDA problems.

4. It is quite possible that in some of the places where conditions are right for FDA problems to develop, they were not reported as problems because they have not yet reached the crisis proportions which would bring them to the attention of the state library agency.

Statewide FDA, extending across system boundaries, is still the exception. However, one state reports that a statewide borrower's card has recently been instituted, and at least three others report that reciprocal borrowing from system to system is allowed; so that, in effect, statewide FDA exists, at least in those portions of the states covered by systems. Finally, in one state all public, school, and university libraries are completely funded by the state as part of its educational program; and another reported that, at the time of writing, legislation was pending which would provide full state funding of all public libraries. Thus, in these six states a borrower may use any public library in the state without regard to his place of residence.

Summary of the Findings

In general, the information furnished by the questionnaires and other sources tends to confirm what has been known about the nature of FDA problems by anyone acquainted with the larger situation in New York State.

While it is obvious that there are problems which need attention, actual unhappiness is somewhat more localized than one might have expected. In the first place, there is overwhelming approval of the concept of FDA. Another

strong plus factor, sometimes overlooked, is that well over half of the population of the State is immediately removed from the possibility of FDA problems because tax support bases coincide with system boundaries. In a growing number of other cities and villages, potential problems have been forestalled or minimized by shifting to tax support bases which coincide more closely with actual service patterns. Of the 21 systems reporting, 18 unequivocably report no serious problems or inequities stemming from FDA; thus, only three could be considered to have problems recognized as serious. Three systems report dissatisfied central libraries.

As expected, the serious problems are found in areas of rapid suburban growth, where communities with poor or nonexistent local library service use neighboring libraries supported at a higher level. Other reasons mentioned for FDA use relate chiefly to convenience - location, hours of opening, and so forth - but whatever the reasons, the problems have to do with the inequity of providing library service to people who do not pay their fair share for it. The difficulty of controlling certain abuses - overdue, lost, and damaged materials, and excessive demand for high-use materials - are the causes of the remaining concerns.

One major library has withdrawn from its system because of FDA problems,[7] and another threatens to do so if inequities are not resolved. Two of the four high-problem systems compensate member libraries from system funds for a plus balance of FDA loans, and a third has budgeted funds for this purpose in 1974. Only one system reports payments to member libraries for a negative balance of interloans; no system expressed concern about in-library FDA use. Two systems reported some sporadic efforts to apply minimum standards to localities as a prerequisite for eligibility for FDA.

Although very little supportive data was cited, excessive FDA use is reported to be adversely affecting the support of both low-support and high-support libraries - in the one case because library needs are being met elsewhere at no cost to the users, and in the opposite situation because they are tired of paying for superior library service only to have nonresidents make increasingly burdensome use of it.

Return of materials to any library in the system is permitted in a substantial majority of systems, but formal reciprocal borrowing among systems is in effect only among the four systems (encompassing 14 counties) of the Western New York Reciprocal Borrowing Cooperative.[6] Formalized interloan arrangements exist among members of most of the 3R's (Reference and Research Library Resources) systems, but the concept of FDA does not apply, and the few reported instances of formal arrangements of even a limited reciprocal direct use are so scattered and differ so widely that whatever significance they have derives from their being departures from customary practice rather than the rule.

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[6] The four systems are: Chemung-Southern Tier, Nioga, Onondaga, and Pioneer.

[7] See Footnote 3, page 7.

While in many respects it is difficult to compare the FDA situation from state to state, it is clear that by far the majority of states have felt that FDA is an essential part of the system concept. The notable fact here is that with 29 of the total of 39 states reporting FDA to be a basic feature of their system programs, only one reported any serious difficulties. To fully understand all of the reasons for this would necessitate elaborate studies, but at least four reasonable possibilities suggest themselves from the evidence at hand: larger support bases for systems; adequate compensation; fewer places with the combination of conditions leading to problems; and, the length of time usually required for FDA problems to become intolerable. Six states, taking various approaches, have accomplished full statewide FDA.

TENETS AND CONSIDERATIONS

A successful FDA program rests on a body of factors and assumptions which, although not explicit in the law and Commissioner's Regulations, are of critical importance to the program. The Committee on Direct Access has attempted to identify the most significant of these as the context within which logical and reasonable recommendations should be formulated. By the same token, they are equally necessary to the reader's full understanding of the recommendations. They are presented here as tenets and considerations - tenets in those instances where they represent the collective belief of the committee in regard to a certain aspect of FDA; considerations where they simply recognize a condition which bears importantly on the program.

FDA Objectives

The committee has identified the following objectives as encompassing the main purposes which FDA is intended to serve:

1) to facilitate access to resources of greater depth and range, and to specialized resources;

2) to reduce the number of interlibrary loans within a system;

3) to reduce the need for duplication of certain materials by individual libraries within a system; and

4) to make the use of public libraries more convenient.

Acceptance of the FDA Concept

In its intensive study of the efforts and problems attending the implementation of the FDA concept, the Committee on Direct Access has had no cause to feel other than a strengthened respect for the wisdom of including the right to use all libraries in the system as a basic element in New York State's public library systems' program. Reactions from the field, almost without exception, were an enthusiastic support of the principle, and most other states indicated a similar attitude.

Thus, the committee strongly reaffirms the intent of the pertinent sections of Education Law and the Regulations of the Commissioner of Education, as well as positive statements on access in the reports of both the Commissioner of Education's Committee on Library Development and the Commissioner of Education's Advisory Committee on Planning for the Academic Libraries of New York State which follow, respectively:

> In order to increase the opportunities for access, it should be standard practice for library agencies of any type receiving public funds, or libraries which are part of institutions receiving public funds, to provide access to all, within referral patterns developed

by the State (and regions). Legal impediments to such access should be removed. No library, however, should be required to serve an expanded clientele or expanded functions without compensation.

and

[It is recommended] that access as needed be provided to all library resources in the State with a reasonable cost recovery by the institution furnishing the service.

Reference Services to Nonresidents

It has long been traditional for public libraries to provide reference services to all, free of charge, regardless of place of residence. The problems involved in distinguishing between resident and nonresident onsite users and of assigning exact and equitable unit costs for reference services are undoubtedly partially responsible for this tradition. More significantly, however, it seems to rest on the presumption that reference use is generally serious in purpose, and in the long run the dispensing of knowledge is beneficial to society at large; thus, it should not be denied to anyone. In libraries which are members of the public library systems of New York State there is the additional justification that the services furnished to them by systems are supported almost wholly from State funds, and therefore it is not unreasonable that there should be no restriction on the use of reference resources by persons who are nearly always residents of the State if not of the locality. The committee feels that the desirability of continuing to extend this longstanding and very useful form of direct access outweighs at this time any reasons for recommending that it be modified.

Loans to Nonresidents

In spite of the committee's conviction that in many respects onsite library use may be the more important manifestation of FDA, the vexing problems of the moment center around the free loan of materials for use outside the library, and accordingly what follows in this report relates primarily to that aspect of FDA.

The Range of Conditions Affecting FDA

In many systems no FDA problems appear to exist at this time, and where problems do exist the conditions which decree the best solutions vary so markedly from system to system that there is no single pattern which can be recommended for all systems.

FDA and the Total System Program

While complete equity in public institutions is neither possible nor always desirable, a rational FDA program in each system can only be devised in the context of the entire service program of the system. The factors to be taken into

account include all of the major benefits received from the system by residents of the service areas of each member library and whatever contributions residents of each area make to the system, either directly as taxpayers or through services, materials, or other benefits provided to the system as a whole.

Responsibility for Local Support

Free direct access is not intended to relieve any area from the responsibility for local support of public library service. It is not only inequitable but it is inimical to the development of good library service for certain jurisdictions to expect that major library service needs will be met by the taxpayers of other jurisdictions. Nor should any jurisdiction be deterred from as high a level of library service as its residents are willing to support, because of the fear that nonresidents will unfairly exploit its superior resources.

Compensation for Excessive FDA Borrowing

Since all member libraries in a public library system derive benefits from the system, and accordingly from the State funds paid to the systems, it is reasonable to expect every member library to accept, without compensation, some degree of borrowing by persons who are residents of the system's service area and, therefore, of the State.

It should be the right of any member library in a public library system, however, to be compensated for excessive borrowing by persons who are not residents of its area of service but who are residents of the system's area of service, when the volume of such use begins to have a serious impact on that library's ability to properly serve its own resident users. Furthermore, in the committee's judgment, since FDA is mandated by the State, at the same time that the systems are funded by the State, it is clearly implied that FDA should hold one of the highest priorities in the use of these funds.

The committee is further convinced that since FDA has been from the outset fundamental to the concept of the public library systems in New York State, and in view of the spirit of the legislation and the program it was intended to make possible, it does not seem consistent at this time to seek a change in the State aid formula which would earmark funds for the specific purpose of reimbursing libraries for FDA use. The committee is acutely aware of the pressures which the public library systems are feeling because of rising costs, but however sympathetically it may respond to their need for funds to carry on a total program, it judges this not to be an FDA problem but a problem of increased overall support which has to be sought in the light of total system needs. Thus, the committee reiterates its conviction that whatever funds are required in order to carry out a successful FDA program should have a sufficiently high priority in the allocation of available system funds to make this possible. For example, library systems desiring to initiate an FDA reimbursement program may review their current grant programs (cash and materials) and service programs and/or seek added county support to finance the costs of reimbursement.

No single method by which individual member libraries may be compensated for excessively heavy FDA use would be ideal in all systems. There now exists a great variety of arrangements among systems for distributing benefits to the member libraries and in the commitments which member libraries make for services beyond their borders. In some cases there are clear-cut quid pro quo's, in which a specific service provided by a particular library to all residents of the system area is a major consideration in the benefits provided by the system to that library; in nearly all systems FDA is certainly an implied quid pro quo, even though it may not be specified as such. There can be no question but that many of these arrangements, of both types, are working effectively to forestall what otherwise might be FDA problems. The committee feels that it would be a serious mistake to recommend that these relationships be changed or disturbed where there are no significant problems.

Exemption of Certain Materials

It is not unreasonable to exempt specified programs and materials, purchased by and for a local library with local funds, from the FDA requirement when not to do so would seriously effect resident borrowers' use of their library.

Delinquent FDA Borrowers

Systems and their member libraries should be allowed to establish such reasonable systemwide rules and regulations regarding delinquent FDA borrowers as are necessary to protect themselves from unfair exploitation of resident users. Insofar as possible, the same basic rules and regulations which apply to resident borrowers should apply to nonresident borrowers. In all direct access borrowing there is an implied responsibility on the part of each library for the delinquencies accumulated by the residents of its service area in their use of other libraries in the system.

Larger Local Support Bases and Contract Potentials

As previously noted, in a number of places in the State the tax support base of the public library has been shifted to a larger jurisdiction. When the major support of a public library comes from a base of financial support which includes all or nearly all of the persons likely to use that library, the problems which might otherwise accompany FDA simply no longer exist. Not only is the complex administrative machinery which is otherwise necessary to correct FDA inequities eliminated, but some of the most frequent causes of direct access problems, such as unserved areas and wide variations in support among neighboring libraries, are likewise removed. At the same time, more effective planning and deployment of library resources throughout the larger area is made possible, thereby providing another means for accomplishing one of the major objectives of FDA.

In this connection the committee further notes that by means of contracts between two jurisdictions, wherein one agrees to provide library service to the

other, it is often possible to accomplish most of the advantages of larger units without many of the disadvantages which are sometimes felt to accompany the consolidation of libraries.[8]

Minimum Standards

The committee deliberated at length on the question of whether minimum standards of support and services should be applied to all member libraries in a system as a prerequisite to eligibility for FDA. While it strongly believes that no local jurisdiction should be allowed to take unfair advantage of neighboring communities with better libraries, the following practical considerations dissuaded the committee from recommending the application of such minimum standards:

1. The difficulty of devising standards

   a. which reflect local differences, including differences in the ability to support libraries; and,

   b. which are objectively measurable, and which adjust themselves to such continually and rapidly changing conditions as monetary inflation.

2. The tendency of such standards to penalize the wrong persons.

3. The very real problems involved in enforcing such standards.

4. The likelihood that other measures recommended by the committee will provide the needed solutions.

Exemption of Communities over 10,000

In spite of their decision not to recommend the imposition of new standards, the committee saw no reason to recommend, at this time, the revocation of the existing provision of the Commissioner's Regulations providing that it is not required to extend FDA to residents of jurisdictions exceeding 10,000 population, which could establish local library programs but have not done so.

[8] In such a relationship, a jurisdiction, with or without an existing library, might contract with a reasonably strong neighboring library to provide library service to its residents. The contract could be written for complete or partial service, and could include operation of outlets within the contracting jurisdiction as well as service at the neighboring library. Since the contract can be modified or terminated at will, the contracting jurisdiction retains control of its library program, while it gains full use of the greater resources and efficiency of the large library. The arrangement not only results in improved library service, but the problem of FDA inequities are resolved at the same time. Contract service might be especially useful in the fairly typical situation of a city library surrounded by satellite communities which are too small ever to maintain fully adequate local libraries.

RECOMMENDATIONS

Based upon the foregoing findings, tenets, and considerations, the committee recommends that certain specific actions be taken relating to FDA and the problems which have evidenced themselves in a small minority of libraries throughout the State. Although the conditions which lead to FDA problems are not present in a majority of systems, it is clear to the committee that relief should be provided in those situations affecting a minority of libraries where full and literal compliance with existing regulations results in serious inequities. It will be possible to put some of the recommendations into effect under the existing regulations; others will require some modification of the regulations.

The committee believes that all libraries, in practice, should be as liberal and flexible in their FDA policies as possible without disadvantage to the residents of their own service areas. In other words, in recommending to the Commissioner of Education that under certain specific conditions member libraries be exempted from the general requirement of complete and unrestricted FDA, the committee assumes that the right to employ any of those exemptions will be exercised only where real inequity or hardship to the lending library, or libraries, would be the alternative.

FDA for All

Commissioner's Regulation 90.3 (b) (1) states that "all residents of the area served" by the system shall be entitled to FDA. The committee recommends that, in carrying out this instruction, no such residents should be excluded from the right to FDA because of age or any other condition, except as may be specifically provided for in the Regulations of the Commissioner of Education.

It is further recommended that in carrying out this requirement, the act of borrower registration in a member library should be considered to entitle the borrower automatically to FDA throughout the system, and all borrowers should be so advised, whether or not they have expressed a need for FDA. The right of all borrowers in a library system to enjoy FDA should, in fact, be continuously advertised in all member libraries of the system. The committee also recommends that when member libraries print new borrowers' cards, such cards should carry an indication that the holder is entitled to use other libraries in the system.

Basic Library Service

The committee recommends, as an accepted principle essential to accomplishing the goals of FDA, that local jurisdictions throughout the State accept responsibility for providing at least basic public library service to their residents. This responsibility may be met by the jurisdiction through operation of a reasonably adequate public library of its own; through service provided by a public library funded by a larger tax base of which the local jurisdiction is a tax contributing part; or by contract between the local jurisdiction and a library serving another local jurisdiction, or with the system itself.

The committee especially recommends that the third alternative - contracts with a larger library for either full or partial service - should be considered as a promising method in many communities for providing better library service with a minimum of problems, and at the same time a means of fully meeting the objectives of FDA.

Compensation for "Plus Use"

The committee recommends that any member library in a public library system, except a central or cocentral library, should have the right to be compensated for FDA plus use when such plus use amounts to more than 10 percent of its total annual circulation, according to a plan devised by the system. Each system should be free to establish the proportion of total circulation exempted from compensation at any rate it chooses in its plan, except that it should not deny the right of a member library to claim such compensation when its FDA loans exceed the above 10 percent. Inasmuch as central and cocentral libraries already receive substantial financial and other benefits by virtue of their status, more should be expected from them than from other member libraries. Nevertheless, each system should also be free to compensate such central or cocentral libraries for some proportion of plus use, particularly where materials and services supported entirely from local funds are concerned.

Compensation of a member library for plus use may come from any source, and may take several forms:

1. materials and/or services from the system;

2. annual flat grants of cash from the system;

3. cash reimbursement from the system per unit loaned (based on actual records of transactions, representative samplings, or estimates); and

4. contracts wherein one library or jurisdiction agrees to provide library service to another jurisdiction for a consideration.

In their budgeting of State and other funds, public library systems should so arrange their priorities that provision for a successful FDA program is assured.

Exempted Materials and Services

The committee recommends that in devising the system's plan of service the following specific exemptions may be allowed to the requirement that the "total resources within the system" be subject to FDA where, in the judgment of the Commissioner of Education, failure to do so would result in serious inequities and hardships to the resident borrowers of member libraries:

1. nonprint materials and equipment such as films, projectors, records, and so forth, when purchased from local funds;

2. periodicals, when purchased from local funds;

3. printed materials less than 1 year old, including fiction and nonfiction books, when purchased from local funds; and

4. in the case of library programs, such as story hours and film showings, residents shall have the first priority when attendance must be limited.

Delinquent Borrowers

The committee recommends that a library system may be allowed to adopt a plan for dealing with delinquent FDA borrowers, including any or all of the following provisions where, in the judgment of the Commissioner of Education, failure to do so would result in serious inequities and hardships to the resident borrowers of member libraries.

1. Systems may maintain a systemwide list of delinquent FDA borrowers, denying the privilege of FDA to any individual whose name appears on that list. In devising such lists the standards for "delinquency" should conform as closely as possible to the standards of delinquency for resident borrowers.

2. When the accumulated total of delinquent charges for overdue, lost, and damaged materials lent under the FDA privilege to the residents of the service area of any member library reaches $100 or 1 percent of the average annual amount that library spent for library materials in the preceding 3 fiscal years, whichever amount is greater, FDA privileges may be denied to that library's residents by the lending library until the charges are paid in full. In the application of this penalty there shall be a period of grace terminating not later than 60 days computed from the beginning of the delinquent library's next fiscal year.

3. In extreme situations, meeting the conditions of #2 above, where restitution still has not been made the system may, provided it has adopted such a provision in its plan for dealing with delinquent borrowers, deny FDA privileges at all member libraries in the system, as well as at the lending library. When the delinquent borrowers are residents of an area without a local library but are within the system's service area, it shall be the responsibility of the system headquarters to assist member libraries in every way possible with the problem of delinquent borrowers.

FDA Alternatives

In its recommendations, the committee has recognized that there are situations where FDA has resulted, or may result, in inequities, and it has accordingly recommended that certain exemptions from the complete and absolute implementation of FDA be made legal. Nevertheless, the committee is aware that in so doing, situations will be created where on occasion serious library users may be frustrated by the resulting restriction on FDA.

The committee therefore recommends that every effort be made by libraries and systems to substitute some reasonable alternatives by which a user may obtain the service that has been denied. Thus, if certain materials were exempted from FDA, they might be made available to the person who really needs them upon payment of a fee, or a deposit to be returned when the item is returned, or some other arrangement which would protect the library's interest but which would also recognize the user's legitimate need. In this illustration, although the user would be denied *free* direct access in the strictest sense, he would not be denied access entirely.

The Library System's Plan of Service

It is assumed by the Committee on Direct Access that the provisions for accomplishing FDA within each system, and, especially, any of the foregoing recommended legal exemptions taken by a system which limit FDA in any way, shall be fully and clearly delineated in the system's plan of service; and that as such they shall be subject to whatever requirements apply to review and approval of the entire plan of service, and subsequent modifications thereof, by the Commissioner of Education.

Appeal

The committee recommends that if, in spite of any of the provisions outlined above for alleviating FDA problems, a member library feels that the legal FDA requirement is creating an intolerable hardship for the residents of its area of service, and an appeal to the system headquarters has not brought satisfaction, the board of trustees of the member library may appeal to the Commissioner of Education, who shall have the authority to modify the requirements where special circumstances warrant.

LOOKING AHEAD

It is the committee's conviction that the advantages of FDA, which have been dealt with here from the standpoint of intrasystem relationships only, will not be fully realized until similar privileges are extended across system boundaries, throughout the entire State, and ultimately across type-of-library boundaries.

Some other states are already beginning to experiment with a type of borrower's card which is honored in public libraries statewide. While the Committee on Direct Access has considered recommending that this progressive step be emulated in New York State, the experience here within systems shows that where the FDA privilege has been heavily used it can create serious inequities which must be realistically assessed and dealt with.

It is hoped that some of the devices which have been suggested here for dealing with FDA problems within systems can be adapted to serve a similar purpose in intersystem and interstate situations. It is possible that the conditions which lead to inequities may occur with less frequency in many statewide or interstate relationships than have occurred among member libraries in some systems in New York. However, rather than recommending, at this time, an action which would immediately extend FDA on a statewide basis, the committee recommends that systems and individual libraries seek and exploit opportunities to extend their usefulness by working agreements with their neighbors wherever it seems feasible, as has been done in the Western New York Reciprocal Borrowing Cooperative referred to earlier in this report.

As helpful as it is to large numbers of library users to be able to use whatever public library best meets their needs of the moment, the concept of direct access will in many instances better serve the serious user when the privilege is extended to the libraries serving education, business and industry, the professions, and other specialized needs. In New York State and throughout the Nation considerable progress is being made in this direction - consortia of academic and special libraries are experimenting with extending various privileges of access under a variety of conditions intended to make their services and resources more widely available, on what must ultimately be a mutually advantageous basis. While the Committee on Direct Access believes that intrasystem FDA among member public libraries is so much an integral and inseparable feature of the public library system concept in New York State that separate supplemental State support could not logically be sought for that specific purpose, the committee nevertheless is convinced that the cause of improved library service could be no better served than by new State funds granted for the specific purpose of extending FDA to encompass all types of libraries.

Finally, returning to public libraries in particular, the committee would point out that there are many other possibilities for moving in the direction of the same fundamentally important objectives that free direct access serves. Some of these possibilities have to do with library interrelationships, such as have been dealt with here, and depend on further development of networks, systems, regionalization, and similar organizational advances. But the possibilities of other techniques and devices need to be widely explored - sophisticated mail order services, relocation and redesign of outlets, extensive photoduplication and transmission, unit-fee services and contract services, and other methods yet to be devised. Each of these techniques suggests another means for serving the basic goal of making library services and resources more accessible to people.

APPENDIX I

EXCERPTS FROM EDUCATION LAW AND REGULATIONS OF THE COMMISSIONER OF EDUCATION PERTAINING TO DIRECT ACCESS

EDUCATION LAW

§272. CONDITIONS UNDER WHICH LIBRARY SYSTEMS ARE ENTITLED TO ALTERNATIVE STATE AID.

1. The term "library system" as used in this article means:

   a. A library established by one or more counties.
   b. A group of libraries serving an area including one or more counties in whole or in part.
   c. A library of a city containing one or more counties.
   d. A cooperative library system established pursuant to section two hundred fifty-five of this chapter, the plan of library service of any of which shall have been approved by the commissioner.

2. The "area served" by a library system for the purposes of this article shall mean the area which the library system proposes to serve in its approved plan of service. In determining the population of the area served by the library system the population shall be deemed to be that shown by the latest federal census for the political subdivisions in the area served. Such population shall be certified in the same manner as provided by section fifty-four of the state finance law except that such population shall include the reservation and school Indian population and inmates of state institutions under the direction, supervision or control of the state department of correction, the state department of mental hygiene and the state department of social welfare. In the event that any of the political subdivisions receiving library service are included within a larger political subdivision which is a part of the library system the population used for the purposes of computing state aid shall be the population of the larger political subdivision, provided however, that where any political subdivision within a larger political subdivision shall have taken an interim census since the last census taken of the larger political subdivision, the population of the larger political subdivision may be adjusted to reflect such interim census and, as so adjusted, may be used until the next census of such larger political subdivision. In the event that the area served is not coterminous with a political subdivision, the population of which is shown on such census, or the area in square miles of which is available from official sources, such population and area shall be determined, for the purpose of computation of state aid pursuant to section two hundred seventy-three by applying to the population and area in square miles of such political subdivision, the ratio which exists between the assessed valuation of the portion of such political subdivision included within the area served and the total assessed valuation of such political subdivision.

3. "Approved plan" as used in this article means a plan of library service by a library system approved by the commissioner subsequent to May first, nineteen hundred fifty-eight.

4. Approval shall not be given to a library system unless it will serve at least two hundred thousand people or four thousand square miles of area, provided, however, that provisional approval may be given to a library system which will serve at least fifty thousand persons provided the area served includes three or more political subdivisions and provided further that a satisfactory plan of expansion of service to be followed during the ensuing five-year period is adopted by such library system and approved by the commissioner.

5. The board of trustees of the library system shall submit to the commissioner the plan of library service. Such plan shall be supported by such information as the commissioner may require in the form prescribed by him.

6. No such plan of library service shall be approved by the commissioner unless he finds that it provides for the residents of the area served thereby a method conforming to the regulations of the commissioner by which the participating libraries are obligated to permit the loan of books and material among members of the system for use on the same basis permitted by the library which owns or controls them.

7. The commissioner shall by regulation provide the standard of service with which such a library system must comply. Such regulations shall, among other things, relate to the total book stock; the diversity of such book stock with respect to general subjects and type of literature, provided that such regulations shall not, directly or indirectly, prohibit the inclusion of a particular book, periodical or material or the works of a particular author or the expression of a particular point of view; annual additions to book stock; circulation of book stock; maintenance of catalogues; number and location of libraries or branch libraries; hours of operation and number and qualifications of personnel, necessary to enable a library system to render adequate service. Such regulations may establish standards which differ on the basis of population; density of population; the actual valuation of the taxable property within the area served; the condition of library facilities in existence on April first, nineteen hundred fifty-seven; the amount raised by taxation by or for the area served; the relation of such amount to population and actual value of the property taxed; the relation of the amount of funds received by a library system from local taxes to that derived from private contributions; or on such other basis as the commissioner finds necessary to provide for the equitable distribution of state aid.

8. Each library system receiving state aid pursuant to this section and section two hundred seventy-three shall furnish such information regarding its library service as the commissioner may from time to time require to discharge his duties under such sections. The commissioner may at any time revoke his approval of a plan of library service if he finds that the library system operating under such plan no longer conforms to the provisions of this section or the regulations promulgated by the commissioner hereunder; or, in the case of provisional approval, if such library system no longer conforms to the agreement, plans or conditions upon which such provisional approval was based. In such case a library system shall not thereafter be entitled to state aid pursuant to this section or section two hundred seventy-three unless and until its plan of library service is again approved by the commissioner.

9. a. In the event that the total sum raised by local taxation exclusive of capital expenditures for the support of a library system and participating libraries in an annual period is less than the average of the amounts raised for such purposes by local taxation for the calendar years nineteen hundred sixty-four and nineteen hundred sixty-five, the state aid to which such library system would otherwise be entitled shall be reduced by twenty-five per centum. Such state aid shall likewise be reduced by twenty-five per centum in the event that the library system shall refuse after reasonable notice to make provision for the expansion of the area served in accordance with the regulations of the commissioner.

b. In the event that the total sum raised by local taxation, exclusive of capital expenditures, for the support of a central library of a library system in an annual period is less than the average of the amounts raised for such purposes by local taxation for the calendar years nineteen hundred sixty-four and nineteen hundred sixty-five, the state aid to which such library system would otherwise be entitled for the development of its central library, shall be reduced by twenty-five per centum.

10. In promulgating regulations and approving, rejecting or revoking plans of library service pursuant to this section, consideration shall be given to:

a. The prevention of unreasonable discrimination among the persons served by such library system.

b. The need for rapid expansion of library facilities in areas not now served.

c. The need of each library system for the professional services of an adequate number of librarians having, in addition to general familiarity with literature, special training with respect to book selection and organization for library use.

d. The need for a book stock sufficient in size and varied in kind and subject matter.

e. The need for regular fresh additions to book stock.

f. The need for adequate books, materials and facilities for research and information as well as for recreational reading.

g. The need for outlets convenient in time and place for the circulation of books.

h. The desirability for the integration of existing libraries and new libraries into systems serving a sufficiently large population to support adequate library service at a reasonable cost.

i. The need for the economic and efficient utilization of public funds.

j. The need for full utilization of local pride, responsibility, initiative and support of library service and the use of state aid in their stimulation but not as their substitute.

SUBCHAPTER D

Libraries

PART 90

PUBLIC AND FREE ASSOCIATION LIBRARIES

90.3 APPROVAL OF PUBLIC LIBRARY SYSTEMS. As used in this part, a public library system means: a library established by one or more counties, a group of libraries serving an area including one or more counties in whole or in part, a library of a city containing one or more counties, or a cooperative library system established pursuant to the provisions of section 255 of the Education Law. A public library system may be approved for State aid under sections 272 and 273 of the Education Law if it complies with the provisions of the aforementioned sections of the Education Law and if it meets the following regulations of the Commissioner:

(a) Full approval shall not be given to a public library system unless it will serve at least 200,000 people or 4,000 square miles of area. Provisional approval may be given to a public library system which will serve at least 50,000 persons provided the area includes three or more political subdivisions and provided further that a satisfactory plan is submitted for expansion of service during the ensuing five-year period.

(b) (1) In order to qualify for full approval, a plan submitted by a public library system shall provide for the free direct use by all residents of the area served of the total library resources within the system by acceptance by all libraries in the system of a borrower's card issued by the system or by any library in the system, to be honored on the same basis as that specified for cardholders in each individual library, except that registered member libraries shall not be required to provide free direct access to their materials and services to residents of a jurisdiction of 10,000 population or more which has not exercised the authority contained in section 255 of the Education Law, or other pertinent legislative act, to establish and maintain a public library, or which is not contracting for public library service in accordance with section 256 of the Education Law.

(2) Provisional approval may be granted provided that each member library of the system shall have the right to borrow for one or more of its cardholders from any other member library of the public library system any book or other material on the same basis as that provided by the lending member library applicable to its resident cardholder.

(3) The provisional approval of a public library system may be extended by the Commissioner for a period of not more than three years after the expiration of the original five-year period upon satisfactory proof that immediate full compliance with paragraph (1) of this subdivision would result in specific extreme hardship to such system or its participating libraries and upon the condition that such public library system submit to the Commissioner, prior to such extension, a satisfactory plan for compliance with paragraph (1) hereof within the period of such extension. As a further condition of such extension, the Commissioner may require a demonstration by the public library system of free access to a portion of the population served by such system. Each such library system shall annually submit a report of progress toward full compliance with paragraph (1).

(c) Each system shall submit a plan which shall include a description of the means by which the various economic, cultural, civic and age groups will be assisted by qualified personnel in deriving maximum benefit from library resources.

(d) Each system shall certify that there will be employed within the library system at least one full-time staff member (or the equivalent) for each 5,000 residents of the area served by the system, exclusive of janitorial, cleaning, and

maintenance workers. There shall also be employed by each approved system of libraries a director who holds or is eligible to receive a public librarian's professional certificate and who has eight or more full years of professional library experience in libraries or systems of libraries of recognized standing satisfactory to the commissioner, at least two years of which shall have been in an administrative capacity. In addition to such director, each approved system shall employ at least three full time (or the equivalent) certified public librarians who shall be engaged solely in services which are administered by the system, exclusive of librarians employed in technical processing or in Federally funded positions.

(e) (1) For full approval, each system shall add annually at least 4,000 titles not previously held by the system.

(2) For provisional approval each system shall add annually at least 2,000 titles not previously held by the system.

(f) Each system shall provide a means of location of materials added in the libraries of the system.

(g) (1) Each system shall prepare annually a budget (statement of receipts and appropriations) on forms prescribed by the Commissioner of Education, and file such budget with the department within 60 days after the beginning of the calendar year.

(2) Whenever the apportionment of State aid to any system shall be increased, the system shall file with the department an amended budget showing how such increase will be used for the improvement of library services.

(h) The plan of service of each public library system shall be revised periodically on a schedule to be determined by the Commissioner.

(i) The plan of each public library system shall provide for coordination of the reference and interlibrary loan programs and functions of the public library system with the approved plan of the reference and research library system of which it is a member. Each proposed revision of such plan shall be accompanied by a statement that the proposed revision has been transmitted to the board of trustees of the reference and research library system of which the public library system is a member, prior to its submission to the Commissioner.

APPENDIX II

SYSTEM QUESTIONNAIRE ON DIRECT ACCESS

COMMISSIONER'S COMMITTEE ON DIRECT ACCESS

Questionnaire to Public Library Systems
January 1974

(Please attach additional sheets, as necessary)

Definitions:

"Direct Access" - Commissioner's Regulation 90.3(b)(1):

> In order to qualify for full approval, a plan submitted by a library system shall provide for the free direct use by all residents of the area served of the total library resources within the system by acceptance by all libraries in the system of a borrower's card issued by the system or by any library in the system, to be honored on the same basis as that specified for cardholders in each individual library, except that registered member libraries shall not be required to provide free direct access to their materials and services to residents of a jurisdiction of 10,000 population or more which has not exercised the authority contained in section 255 of the Education Law, or other pertinent legislative act, to establish and maintain a public library, or which is not contracting for public library service in accordance with section 256 of the Education Law.

"Nonresident" - (For purposes of this questionnaire)

A user of a member library who lives in the area claimed by a system as served, but outside the political subdivision that provides tax support for the member library being used.

* * * * * * * * * * * * * * *

1. As the system director, how important do you think the principle of free direct access is to the library system concept? Why?

2. Is it the policy of the public libraries in your system to extend, without charge, the services listed below to persons who are not residents of the particular library's service area (as reported in the library's Annual Report) but who are residents of the area legally served by the system? Please check appropriate column opposite A-E below.

	No	Yes (No Restrictions)	Yes (With Restrictions noted in #3 below.)
A. Interloans, made through the system?			
B. Direct loan of materials (in-person)?			
C. In-library use (i.e., reference, etc.)?			
D. Telephone reference?			
E. List other services (e.g., film programs, story hours, etc., available to nonresidents.)			

3. Please note any restrictions as to types of materials, age of users, charges, or other restrictions or conditions applying to each of the above services. Indicate if these restrictions are a matter of system policy or whether they vary from library to library based on local option.

4. If there are counties in your system which are not claimed as "totally served," are the residents of unserved areas in such counties treated differently, in respect to free direct access, from served communities?

5. Are the local libraries compensated in any way for services to nonresident borrowers? (Please describe, indicating amounts and sources of funds involved, and, briefly, how records are kept.)

6. Have sources of library funding changed in whole or in part (as for example, from a village to a town or from a city to a county), or have additional funds been sought, as a result of extensive nonresident use of a local library?

7. Are you aware of any existing problems or potential problems in your system resulting from the free direct access requirement? (For example, has the fiscal support of any public library been adversely affected by heavy nonresident use, or the anticipation of such use? Have any libraries withdrawn, or threatened to withdraw, from the system, or have any libraries refused to join the system for this reason? Is the delinquency rate higher or are book losses greater for nonresidents? Please characterize whatever problems or potential problems you report as "serious," "minor," etc. Where financial support is involved try to give an estimate of the amounts.)

8. Do you feel that any serious inequities exist within your system because of the free direct access principle, regardless of whether they are generally recognized as problems?

9. If there are problems or potential problems resulting from direct access in your system, could you put your finger on any particular situations that contribute importantly to them? (e.g., the existence of a pocket of population too small or too poor to establish an adequate public library; wide variations in level of support of nearby libraries; geography; etc.) Please include any data which might support your opinion.

10. Please give any available data which would show the amount of nonresident use of local libraries, relating this to total use of the libraries involved (e.g., percent nonresident circulation is of total circulation).

11. Do you have any analyses of nonresident use of the libraries in your system that would indicate for what purpose the uses are made (e.g., recreational reading, research, student needs, etc.) or that would help to place the users in broad categories--by age, activity, geography of use, or other.

12. Do you have any cost data on circulation of materials or in-library use that might be useful in developing a basis for compensating libraries for non-resident use?

13. May borrowers return borrowed materials to any library in your system? If so, has this created any problems such as extra cost of shipping, staff, delivery problems, etc.?

14. Do you now have, or have you ever tried, any kind of reciprocal borrowing arrangements with other systems or libraries beyond your system boundaries? If your answer is yes, please explain.

15. Do you know of any reciprocal borrowing arrangements in your area among nonpublic libraries, such as schools and colleges?

16. Do you feel that the 3R's systems have had any effect on use of the direct access privilege? If so, what effect?

17. Does the 3R's system (or systems) in your area have formal reciprocal arrangements for on-site use?

18. Please include in your reply any information, suggestions, or questions regarding free direct access which you feel would be helpful to the Committee or that you would like the Committee to consider. Name any libraries in your system which you believe should receive special study.

    It will be very helpful to have copies of any policies, procedures or written reports dealing with direct access your system may have generated.

Return Questionnaire to:

Mr. Andrew Geddes, Chairman
Commissioner's Committee on Direct Access
c/o Division of Library Development
Room 1505 - Twin Towers
99 Washington Avenue
Albany, New York 12210

APPENDIX III

STATEMENTS AT HEARING ON DIRECT ACCESS

Report to the Direct Access Committee

Dear Fellow Professionals:
Thank you for providing me with the opportunity to voice my objections to the present concept of direct access, and, to offer you some suggestions for changes that I think will correct some of the inequities in the program as it currently operates.

It seems to me, that the underlying philosophy of this program is that New York State residents have a right to use any library in the state with equal access equivalent to those who pay for the support of that library. I think this philosophical principal needs to be reexamined. Can parents send their children to any school in the state? Property values are greatly enhanced when communities exceed standards for their schools and libraries by taxing themselves at a greater rate. If greater access to these facilities is permitted, can the same standard be maintained? I think not. I say that if the philosophical implications of the Direct Access program were laid out to taxpayers in those districts that exceed standards, and, they were to realize what they were subsidizing, there would be a clamor for an end to the program.

Lest I sound exclusively like a tax-obsessed suburbanite, let's look at the problem professionally. Does the program encourage the growth of small libraries? NO. Many small libraries in Suffolk County are quite content to stay small and have their patrons use their wealthier neighbors. Some Boards of Trustees have even gone so far as to make this their unwritten policy.

Larger libraries have always been happy to accommodate their smaller brethren. Libraries here have certainly been their brother's keeper to a remarkable extent. Those fortunate enough to have specialized or rare collections, have usually prided themselves on their willingness to share. But, who wants to share their weekly Times best-sellers with anyone? Should anyone share these with anyone else? I think not.

Report to the Direct Access Committee-Continued

If Library A adopts a policy that provides current book material (best sellers and popular books) to its patrons within a 2 week period, and neighboring Library B takes the view that 10 to 14 weeks is not too long for a patron to wait for the same material, should the patrons of Library B have the right to go to Library A and find this material on the shelf when they would have to wait 10 to 14 weeks for it at their own library? Are not the patrons of Library A being deprived of the benefit of the time and money spent by their library to provide them with a good service by having the patrons of Library B 'free-load' at their library? I think they are and I think it is not fair.

In conclusion, I think the amendments to the current regulations should reflect the basic philosophy that patrons may use libraries other than their own on the basis of real need as opposed to convenience. Further, the regulations should clearly state that such access is a fragile privilege, that requires good faith on the part of the user to survive. It should be clearly understood, that new books, assignment material, and other such material, must be provided by a patron's home library.

Myron Roochvarg

May 16, 1974

HUNTINGTON PUBLIC LIBRARY
338 MAIN STREET • HUNTINGTON, NEW YORK 11743

Statement from the Board of Trustees of the Huntington Public Library to the Commissioner's Committee on Direct Access on May 16, 1974. (Presented by Stanley A. Ransom, Director)

Direct Access is a service which can be of inestimable value. When a patron needs a particular book not in his own library he is able to go to a nearby library to obtain the book quickly and efficiently. Some patrons find it convenient to use several libraries in obtaining material on a specific subject. Direct Access is an effective substitute for interlibrary loan and takes far less staff and time.

Problems of Direct Access have occurred in Suffolk County. The Huntington Public Library, a Co-Central Library for the Suffolk Cooperative Library System, receives State funds for reference and interloan services to other libraries. We are not paid for Direct Access use. The Huntington Public Library encourages the use, both directly and through interloan, of Central Book Aid books and other System owned materials to all residents of Suffolk County. These materials account for 6% of books borrowed under Direct Access.

The majority of books borrowed under Direct Access are new best sellers and popular fiction and non-fiction plus school assignment material. These loans account for 13-18% of the total circulation of Huntington Public Library. For January-March, 5,402 out-of-district patrons borrowed 17,758 volumes. In doing so they competed with our taxpayers for our supply of new books.

This Spring, being hampered by lack of new books, our library put up a sign asking that out-of-district patrons take one new book only. This became the subject of concern to the Board of Trustees of a neighboring library whose patrons complained at being denied their rightful privileges.

Our taxpayers, who will be paying $1.66 per $100 of assessed valuation for their library service in 1974, are angry at the thought that they are expected to support a library budget which purchases books for heavy use by some out-of-district borrowers who have made no bones about using our library in an effort to

keep their own taxes low. The 1973 tax rate of the Huntington Public Library and neighboring districts was as follows: Huntington Public Library - $1.52; Cold Spring Harbor - $.358 and $.209; Harborfields - $.85; Northport - $.83; South Huntington - $1.075; Commack - $1.00; Half Hollow Hills - $1.096 and $.949.

The Library Board of Trustees, who have received many complaints from our taxpayers, have considered this outcry of such importance that they are becoming convinced it is not worth continuing as a member of the System under present conditions.

What can be done? Our Suffolk County Direct Access Committee has already recommended that new and popular materials be excluded from Direct Access. This will help a great deal.

In addition, we recommend a reimbursement of not less than 25¢ per volume to be paid to all public libraries for the imbalance of Direct Access. Every library now keeps track of these and other statistics and will continue to do so if this will help to correct this impossible situation.

Payment for imbalance would pacify our taxpayers and enable us to stay in the System, for we could purchase added books and employ extra staff with these funds.

Payment must be made according to the specific imbalance. Do not fall prey to the erroneous idea that under a certain percentage does not matter. It does. When you are talking about imbalance, every volume and every cent counts.

Also, do not think for one moment that Central or Co-Central libraries do not bleed like other libraries. Failure to reimburse Central Libraries for imbalance of Direct Access is tantamount to a planned forcing of these libraries out of System membership and out of existence as a Central Library. Central Libraries are actually the public agencies of Cooperative Systems. They receive funds to support specific services under an agreed upon plan of service. In their service under Direct Access, however, they function the same as other libraries and should continue to be considered in the same light as any other public library.

This Direct Access Committee can recommend action to continue the Direct Access service and to make it a part of a network of good library service in New York State. We urge the Committee to take necessary action to ameliorate problems caused by imbalance of use. A unified and universal system of payments seems the best way, but there may be others. Failure to correct the situation will almost certainly lead to a weakening of our excellent Cooperative Library Systems, as conscientious library boards, in their efforts to be fair to their own taxpayers, must otherwise relinquish System membership.

Stanley A. Ransom

Stanley A. Ransom

Directors' Association

Association of Member Library Directors of the SCLS

May 16, 1974

Mr. Andrew Geddes, Chairman
Commissioner's Committee on Direct Access
c/o Division of Library Development
99 Washington Avenue
Albany, New York 12210

Dear Mr. Geddes:

My remarks, and those of Directors' Association Direct Access Committee Chairperson, Mrs. Gertrude Schweibish, are predicated on the Committee's report of December 21, 1973 (amended May 13, 1974) of which a copy is attached. The original report was forwarded to the Commissioner's Committee on Direct Access on February 4, 1974.

This report was amended in order to offer further amplification of the following points:

I. a. The borrowers of any community which fails to pass two consecutive annual budgets will be excluded from participation in direct access unless its per capita support is equal to the median per capita tax support of member libraries in the County.

II. d. A uniform borrowing code should be compiled and issued to all libraries and direct access users. Libraries lending restricted materials to direct access users will not be reimbursed by the home library for any losses incurred.

According to the results of a direct access survey taken in Suffolk County for the period January 2 - May 31, 1974, serious inequities exist in our direct access program. These inequities are best exemplified in the attached statistical report and are representative of general direct access use in the County. Because of seasonal patterns of use, the survey will be continued for the remainder of 1974. The Directors' Association will be pleased to forward the results to the Commissioner's Committee on Direct Access as they become available.

Due to the diversity of direct access problems within the State, there should be sufficient latitude in the State's direct access regulations to allow for local solutions to local problems. This would, for example, allow Suffolk County to eliminate SCLS-issued cards if it so desired, independently of action taken in this regard by other Systems.

The Directors' Association feels that the incorporation of these recommendations in the State's direct access policy will strengthen and enhance the basic concept of the direct access program.

Very truly yours,

Ernest A. DiMattia, Jr.
Chairman

EAD:js
enclosures

December 21, 1973
Amended May 13, 1974

Direct Access Committee's
Report to the Executive Board of the Directors' Association

(Committee members in attendance: Marcia Schwartz, Lindenhurst; Carol Sykes, Cold Spring Harbor; Gertrude Schweibish, East Islip)

In view of many complaints and the recent publicized court case involving two North Shore public libraries, the Direct Access Committee was asked to review the plan of service and make necessary recommendations.

First was the need for a reporting system that would furnish statistical information, as the basis for a possible compensatory program, which is to commence January 2, 1974. Forms for keeping statistics are to be supplied by the System. The completed forms are to be submitted quarterly to the Direct Access Committee.

Second is the importance of a standardized set of regulations to which all member libraries must adhere.

Therefore the Committee, sets forth the following for study by the elected Executive Board of the Directors' Association and for immediate presentation to the members of the Association.

Since recommendations previously presented by this Committee have never been implemented, we now feel that action must be taken immediately in order that these recommendations be implemented no later than the fiscal period, July 1, 1974.

We recommend that Boards of Trustees of member libraries adopt the following minimum levels of service and support for participation in direct access and the methods of implementation and enforcement based on this report:-

I. Levels of support:

a. The borrowers of any community which fails to pass two consecutive annual budgets will be excluded from participation in direct access unless its per capita support is equal to the median per capita tax support of member libraries in the County.

II. Borrowing Code:

a. New fiction and new popular non-fiction will be excluded from direct access.
b. Any material in heavy demand at a home library may be withheld from direct access until local demand is satisfied.
c. Prior to referring a direct access patron to another library, it is incumbent on the home library to ascertain availability of materials at the other library.
d. A uniform borrowing code should be compiled and issued to all libraries and direct access users. Libraries lending restricted materials to direct access users will not be reimbursed by the home library for any losses incurred.

III. Overdue Procedures:

a. 1st notice: to borrower, same time limit as for own members.
2nd notice: to home library within or less than 9 weeks after date due.

b. 3 weeks (21 calendar days) after the 2nd notice, the standard invoice must be sent to the home library. Invoice is due and payable within 90 days (3 months) after receipt. (For Executive Board's attention: see suggested standard invoice form attached.)

c. Libraries that do not honor their obligations within the 90 day period after receipt of a bill will have their direct access privileges withdrawn at the offended library.

d. Claims returned items should be put on reserve in the offended library for a two month period after final billing, but home library is responsible for payment within the allotted 90 day period.

e. Cost of Lost or O. P. books: List price, no processing charges added, should be charged to home library for lost books. Out-of-print books, initial list price. Important items, if replaceable, at replacement cost, no processing charges added.

f. If a book, for which payment has been made, is found within 60 days of payment, refund should be made to the patron's library.

IV. Delinquency List:

The delinquency list should be updated as often as possible. Libraries are urged to report additions and deletions promptly.

The responsibility for reporting constantly-offending members for inclusion on the System's delinquency list falls on the home library. In the case of consistent abusers of another library's services, it is incumbent on the offended library to report such abuse to the patron's home library.

V. System Library Cards:

It is the strong recommendation of this committee that System-issued cards, except contract and bookmobile cards, should be phased out as soon as feasible.

VI. A pamphlet encompassing all direct access rules and regulations should be compiled as soon as possible to be issued by July 1, 1974. Copies should be available in all libraries. Annual revisions should be made.

The Direct Access Committee is willing to compile such a pamphlet.

VII. Any library which does not conform to the standards and regulations will be deprived of participation in direct access upon the recommendation of the Directors' Association followed by the approval of member library Boards of Trustees.

Attached: sample copy of suggested invoice form
suggested reporting form

THIS COMMITTEE WISHES TO THANK ALL THOSE WHO TOOK THE TIME TO SEND ADVICE AND OFFER SUGGESTIONS.

Respectfully submitted,

Gertrude F. Schweibish

Gertrude F. Schweibish, Chairman

REPORT OF DIRECT ACCESS COMMITTEE

Meeting held at Lindenhurst Public Library, April 3,1974

Attending: Joyce Nicols, Smithtown; Marcia Schwartz,Lindenhurst; Carol Sykes, Cold Spring Harbor, Nancy Flanders, Babylon; Seymour Berman, Brentwood; Caroline Fitz, Amityville; and Gertrude Schweibish,East Islip.

All agreed that the 1st quarter reports on Direct Access only reveal the need for the full year's report.

1st: the gas shortage influenced the statistics somewhat, it is believed, because people traveled less.

2nd: 34 Libraries reported and 6 of those didn't report in full (had to be checked by 'phone).
(14 non-reporting libraries, mostly smaller libraries, with the exception of COMSEWOGUE and PATCHOGUE-MEDFORD)

3rd:The libraries complaining of inequities are very few in number; and the smaller libraries that did not report would not have made much difference.

Examples: Brentwood: using No.Babylon - 112/407
" Bay Shore - 526/1711
" West Islip - 165/640

West Islip: " Bay Shore - 207/553

Smithtown " Commack - 939/3159
" Half Hollow- 201/675
" Northport 532/2058
" So.Huntington 142/468

No.Babylon " Deer Park - 124/501

Half Hollow " Deer Park - 147/464
So.Huntington 318/1330

Commack " E.Northport- 581/1956
Half Hollow- 267/960
Northport 241/692

So.Huntington" Half Hollow- 186/557
Huntington -1176/2323

DIRECT ACCESS USE - 1974

LIBRARY: HUNTINGTON

USERS:	JAN.		FEB.		MARCH		TOTALS	
	People	/ Books	People	/Books	People	/ Books	People	/ Books
So.Huntington	212	724	228	857	246	816	686	2397
Northport) E.Northport)	102	326	100	423	132	416	334	1165
Cold Spr.Harbor	459	1371	480	1811	510	1574	1449	4756
Half Hollow H.	146	412	83	268	49	173	278	853
Harborfields	663	2186	813	2717	803	2561	2279	7464
Smithtown	56	191	37	118	42	101	135	410
Commack	28	92	37	107	49	167	114	366
Central Islip	10	54	3	3	2	7	15	64
Sayville	6	23	5	21	5	21	16	65
Deer Park	5	21	4	12	3	9	12	42
Emma S.Clark	5	15	5	9	3	6	13	30
Brentwood	3	4	1	6	4	8	8	18
Middle Country	---	---	---	---	3	6	3	6
Middle Island	3	8	---	---	---	---	3	8
No.Babylon	2	5	3	6	20	55	25	66
S.C.L.S.	1	7	4	9	3	17	8	33
Sachem	1	6	3	3	2	8	6	17
Amityville	---	---	1	4	1	2	2	6
Babylon	---	---	2	5	1	1	3	6
Southold	---	---	---	---	1	1	1	1
(Bkmb.?) Bayville	---	---	---	---	1	1	1	1
Bellport	---	---	---	---	1	3	1	3
Copiague	---	---	---	---	3	12	3	12
Stony Brook(?)) St.James (?))	---	---	---	---	2	5	2	5
Southampton	---	---	1	4	---	---	1	4
Patchogue	2	5	---	---	---	---	2	5
East Islip	---	---	1	2	---	---	1	2
Lindenhurst	1	2	---	---	---	---	1	2
TOTALS	1705	5452	1811	6385	1886	5970	5402	17,807

STATEMENT PRESENTED TO THE COMMISSIONER'S COMMITTEE ON DIRECT ACCESS

FROM: ALFRED L. FREUND, DIRECTOR, RAMAPO CATSKILL LIBRARY SYSTEM

DATE: MAY 16, 1974

On December 14, 1973, I sent a letter to Andrew Geddes, Chairman of the Committee, providing background on the history and makeup of the Ramapo Catskill Library System and including some random thoughts on direct access. The purpose of this letter and a subsequent amplification of February 21, 1974 was to provide the committee with some general ideas concerning the program as a whole, rather than to pinpoint specific System problems or to offer solutions.

In view of this, I welcome the opportunity to discuss some of the problems which the direct access program has created within the Ramapo Catskill Library System. The following information is a summary:

1) RCLS and its member libraries view the direct access program as an essential part of the System's program of service. There is almost unanimous agreement that it should be continued.

2) However, direct access is viewed as a growing financial threat to some of the larger libraries in our rapidly growing counties of Rockland and Orange.

3) As of January 1, 1971, the Finkelstein Memorial Library at Spring Valley officially withdrew from the System, citing excessive out-of-district-use as the reason. We are happy to report that as of March 1974, this library decided to rejoin the System.

4) Shortly after the withdrawal of the Finkelstein Memorial Library, the RCLS Board of Trustees engaged the services of Richard Debus, a consultant from Sand Lake, N.Y., to conduct a study of the patterns of and reasons for out-of-district-use of System libraries. The report, which was completed in 1972, cited as the main reasons for out-of-district-use - more materials, better resources and convenience. A full systemwide hearing on this report was conducted in February, 1973 at which time most of the member libraries expressed their support for the direct access program.

5) In the fall of 1973, a special Ramapo Catskill Library System Directors Association Committee on Direct Access reiterated support of the program, but stated that some long-range solutions must be found to the inequities resulting from overuse of better financially supported libraries by the residents of their less well-supported neighbors. The Directors' Committee recommended that, in view of the fact that this special Commissioner's Committee had been established and was expected to make a final report within a year, the RCLS Board of Trustees budget a sum of money to provide plus-use reimbursement on an interim basis.

 (cont'd)

6) The Ramapo Catskill Library System Board of Trustees included $20,000 for this interim program in the 1974 budget and an additional $20,000 to assist the less well-supported libraries in improving their collections and services in order to remove some of the causes of direct access overuse.

As noted in Items 5 and 6, the RCLS grants were approved on an interim basis. It is our feeling that the creation of an ongoing System reimbursement grant program, the eventual costs of which are unknown at this time, would tax our meager finances to the breaking point.

In view of this, we wish to urge that the Commissioner's Committee consider recommending state funding of a limited reimbursement program for the libraries most heavily used by out-of-district patrons in the state.

ALF:ms

APPENDIX IV

SECTIONS ON DIRECT ACCESS FROM OTHER REPORTS

*From *Report of the Commissioner of Education's Committee on Public Library Service*, 1957. (pp. 19, 31-32)

SUMMARY OF RECOMMENDATIONS - II. SYSTEMS OF LIBRARIES

10. A library system should not be required to provide free library service to residents of communities which logically should be served by the system if those communities do not support local library service or refuse to participate in the system....

SECTION II - SYSTEMS OF LIBRARIES

Borrowing Rights and Privileges

Any resident of an area served by a library system should have the right to borrow materials directly and through interlibrary loan from any other library in the same system. However, the Commissioner may approve a plan that does not provide for free direct access to all libraries in the system, if such limitation of direct access in his judgment is warranted. Residents of such an area may also borrow by interlibrary loan through the State Library, materials in the State Library or in other library systems. Terms of loan to fill unusual demands or for special service should be arranged by intersystem agreement.

Residents of communities which provide no support for local library service or which logically should be part of a system but have not joined it should not be entitled to free library service from a system, but this shall not be construed to prohibit service to residents of such a community where any system is willing to provide such service within a plan provided by the Commissioner.

*From *Report of the Commissioner of Education's Committee on Library Development*, 1970. (pp. 17-19)

RECOMMENDATIONS - USER ACCESS TO LIBRARY SERVICES

A knowledgeable library user charged with laying down the parameters of a reasonable library program which would meet all of his library needs might begin his list with something like this: 1) I must have the legal right to use any library which either has whatever services and resources I need immediately at hand, or through which I can get them with a degree of promptness commensurate with my need; 2) that library must be near enough so that it is practical for me to use it when I need it; 3) there must be some way I can find out what materials will meet my need of the moment and how I can get them. (This must work equally well whether the materials I need are actually in the library collection I am using or whether they are somewhere else.)

The librarian approaching the same problem would probably say that the system design must meet the tests of legal access, physical access, and bibliographical access.

RECOMMENDATIONS:

I. Everyone is entitled to convenient free access to local libraries (public, school, college and university, special) which are part of a statewide network providing both interlibrary loan and reference service.

A. Access to an outlet which can supply interlibrary loan service and ready reference or reference referral service should be within 20 minutes in a metropolitan area or 30 minutes in other areas by some practical means of transportation.

B. Where this is not economically possible, it is the responsibility of local government to arrange to provide library service by contract or to provide transportation to the library. (In the latter case, transportation might be provided by school bus, for example.)

C. In addition to the local outlet, it may be necessary or desirable for the library or library system (of any type) to establish supplemental forms of access by such means as bookmobile service, storefront reading centers, and mail-order service.

D. Reasonable hours of service should be determined by user need.

E. Access to statewide networks (e.g., NYSILL) should be unrestricted as to age of user, according to patterns of referral developed by the State (and regions).

II. In order to increase the opportunities for access, it should be standard practice for library agencies of any type receiving public funds, or libraries which are part of institutions receiving public funds, to provide access to all, within referral patterns developed by the State (and regions). Legal impediments to such access should be removed. No library, however, should be required to serve an expanded clientele or expanded functions without compensation.

STRUCTURE AND RELATIONSHIPS

What the library user sees as problems of access become for the library planner and administrator problems of structure and relationships - such considerations as the kind, size, and location of libraries needed and the legal and other arrangements which will facilitate opportunities for cooperation and sharing in order to meet the requirements of users at a realistic cost.

Along with efforts to satisfy the increasing volume and sophistication of user demands and to further equalize library opportunity throughout the State, there has come an enormous increase in the complexity of library relationships. Systems, networks, larger and more diverse bases of support, greater specialization - these are just a few of the factors which must be accommodated in a viable statewide structure.

Intermediate Libraries

As yet, (and there seems to be no prospect that the situation will change in the foreseeable future) there is no substitute for a library outlet which the user can actually visit with a practical degree of convenience - a place where he can browse in a collection of reasonable size, obtain professional assistance, and gain access to network resources beyond the limitations of size and depth which apply to the library at hand. In fact, any user more than 20 miles from a general library collection of at least 35,000 volumes, to which he has legal access, must be considered to be disadvantaged in respect to library service.

There are almost no residents of New York State who do not have the legal right to use, in addition to their local public library outlet, the central library of a public library system. However, there are still many places where the user's local outlet falls far short of being able to meet his needs for a direct-access library, yet the trip to his central library is too great to be normally feasible. It is this quite prevalent inadequacy in the total public library program in the State which the following recommendations on intermediate libraries are designed to overcome. The term "intermediate libraries" is used because it is presumed that the kind of library service needed in these situations would most often be at a level which is intermediate between small, community library outlets and the central library of a public library system.

*From *Emerging Library Systems: The 1963-66 Evaluation of the New York State Public Library Systems*, 1967. (pp. 91-95, 117)

CHAPTER VI - ACCESSIBILITY

At the heart of all library service is the multifaceted problem of accessibility. Consideration will be given here to:

(1) legal accessibility, or the individual's right to use certain library collections and services

(2) physical accessibility, involving questions of distance, time, and convenience in using those collections legally accessible

(3) bibliographic accessibility, or the means available for remote browsing - the tools to help the individual identify which of the materials in the collections to which he has access will meet his particular need

Legal Accessibility

Gains

Under the former concepts of library service, the only persons legally entitled to use a library were those who supported it - either by taxation or by some kind of fee. Those supporting one library were nearly always nonsupporters of others and hence not entitled to use them. Library horizons were restricted to the immediate community, no matter how small or inadequate the resources there.

Under the systems concept, however, all residents of the system area may legally use the facilities of any of the libraries in that system, either personally or through interlibrary loan. This, in itself, is an immense accomplishment in terms of the improvement in the service potential for those with weaker resources.

In all fairness, however, some qualifications must be noted in evaluating the actual gain realized. In the first place, in regard to personal use, it has always been customary to serve *within* the library any nonresident who came there, with no distinction being made between resident and nonresident unless books were borrowed for outside use. Even then, most libraries extended the loan privilege to nonresidents for a very nominal annual fee. Secondly, although interlibrary loan (a form of legal access) has been greatly facilitated by the establishment of systems, all public libraries in the State have traditionally been encouraged to turn to the State Library whenever they were unable to meet a borrower's needs from their own collections.

Even after such reservations have been noted, there is undeniable evidence of a distinct psychological and practical gain in respect to the personal use of other libraries since that use has been legalized by system membership. For example, hesitation in asking a favor has been overcome and practical methods for expediting transfer of returned materials have been developed. Both user studies and interviews, conducted in the course of the systems evaluation, confirm that the stronger libraries do attract substantial and grateful clientele from outside their local tax support areas, while libraries that appeared weak in the course of resource and performance checks reported very little pressure from "outsiders."

While there is no doubt that library patrons in many systems are using libraries other than those they support directly at the local taxing level more frequently than in pre-1958 days, some of the increases in such use are due to factors unrelated to legal accessibility (such as increased mobility of the population) and would have occurred anyway. This is especially true of inlibrary reference use. Moreover, there are no bench-marks against which to register changes since 1957. It is difficult, therefore, to know how much of the public's crossing over from one library's formal service area to another is actually attributable to system organization.

Few systems conduct even spot checks on the crossing of formal library service lines, but the user surveys conducted in 39 libraries in 1965-66 indicated that few libraries supported by single area, village, or city taxation have less than 5 percent of their load originating outside the tax areas - and frequently as much as 20 percent originates outside. In a limited number of cases, the outside load was even higher and posed fiscal problems. When the taxing unit was a county and the main library was centrally located, the crossing of tax-support boundaries was reduced.

Difficulties

As one would expect, the accomplishment of gains made has not been without difficulties. New York State law requires that, within a system, all libraries must extend free direct borrowing privileges to all residents of the system area. (No parallel requirement is made that the localities make a prescribed minimum

effort to provide a basic library service for their own residents, although this could minimize the load on the stronger libraries.) The systems were, however, allowed a five-year period of "provisional approval," during which time they might meet the statutory requirement by means of interlibrary loans. A few of the systems, chiefly those with large and expanding suburban areas and a highly mobile student population, feared that to allow direct in-person use of existing libraries would place an unfair burden on communities with reasonably good libraries and would, at the same time, deter the necessary establishment and adequate support of good libraries in the newly developing areas.

It is safe to say that no other requirement of the systems law or regulations has, thus far, been the cause of more concern on the part of developing systems. Sufficient concern was evidenced by several of them to warrant a hearing, called by the Commissioner of Education in early 1964, and provisions were made for an extension of up to three years to meet the requirement where serious problems exist. Difficulties, all relating to problems of suburban development, have been encountered by at least six systems. Three of the six have been able to negotiate free direct borrowing on a systemwide basis (one doing so during an extension period), but the other three have sought or will seek an extension of provisional approval in order to assist in the establishment of new units in areas now without convenient service but with rapid population growth. Other systems have met the requirement with comparative ease and now allow direct borrowing by all adults in the system area. The majority of systems do not extend the privilege to children below eighth grade and have not been required to do so.

The fear of an unfair burden being placed upon the stronger libraries was certainly not unreasonable. That this fear was not substantially realized in many cases was due in part to the fact that many systems used the five-year provisional approval period (during which time they met the access requirement through interlibrary loan) to strengthen collections and give inservice training to staff in the smaller libraries. By the end of the period, many local residents were much more accustomed to finding reasonably satisfactory help in their local outlet and the inundation of stronger units was not as serious as anticipated - or at least not because of free borrowing privileges.

The fear of an unfair burden upon the stronger libraries has, however, been realized in some cases. Over a longer period it could result in local pressure upon such units to limit their development to the point where they will not attract much outside use and this in turn would lead to a lower quality of service and resources available even to the residents in the more populous areas. This potential undermining of the entire concept of improved service through larger units would be minimized if large-area support replaced strictly local support or if State aid to systems were sufficient both to cover adequate reimbursement to the member libraries that give more than they get and to finance other necessary programs.

Interlibrary Loan

In some systems, particularly those with few if any conveniently-located and relatively strong libraries, the extension of legal accessibility appears to have resulted in a greater increase in interlibrary loan use of other libraries than in direct borrowing by outsiders. This has not placed an inordinate strain

upon any members in those systems with strong system pool collections and/or adequate compensation to the libraries that carry much of the load. It must be noted, however, that the ability of local staff in referring inquiries and interpreting requests for which they cannot provide material from their own collections has a direct bearing upon patron satisfaction in such areas and that system consultants have had varying degrees of success in developing the necessary skills at the local level.

Intersystem Borrowing

At no time has there been any pressure, or even "gentle urging," from the State for libraries to extend the direct borrowing privilege on an intersystem basis. Nevertheless, four systems, involving 113 libraries in 13 counties, have done so on their own initiative. The fact that one of the strongest urban libraries in the State has taken the leadership in encouraging this step would indicate that cross-system free borrowing privileges do not pose a serious problem for that library at least. The figures indicate that the problem of universal borrowing is most critical where library service boundaries cut through heavily populated areas with sharply differing levels of library service. Generally, system boundaries involve rural areas, and this minimizes the problem.

Summary

Perhaps what is most significant about the legal accessibility which the system structure brings with it is the potential inherent in the simple fact of giving every resident of a system area (now over 98 percent of the population of the State[1]) the right to use, through his own library outlet or directly, all of the resources and facilities which are links in the system chain. Even though in actual practice the outcome may not yet be as impressive as might be expected, as the program develops and stronger resources are tied into the systems and improved techniques are developed for the remote use of library resources, the possibilities for improving and equalizing public library service are almost unlimited....

Summary

2. Systems have already given adult users legal access to all public libraries within a system, a tremendous accomplishment in itself. From 5 percent to 20 percent and higher of direct use of most public libraries appears to be by nonresidents, with the greatest amounts of such use occurring in the best libraries. Since there is no requirement that localities make a minimum library effort, there has been fear of, and in a few cases there exist, serious inequities resulting from nonresident use of stronger libraries without adequate compensation for such use. Public library support based on larger areas would help to minimize this problem.

3. Legal accessibility to libraries in neighboring systems exists in only a few systems. The extension of such intersystem borrowing privileges may, however, present problems unless arrangements for compensating stronger libraries can be worked out in those areas where system boundaries run through heavily populated areas with sharply differing levels of local library support.

[1]Based on official U.S. Census figures.

LETTERS TO AND RESPONSES FROM REV. BRADFORD N. PUSEY AND JAMES G. KENNEDY

THE NASSAU LIBRARY SYSTEM

THE LOWER CONCOURSE • ROOSEVELT FIELD • GARDEN CITY, NEW YORK 11530 • 516 741-0060

ANDREW GEDDES, DIRECTOR

COMMISSIONER'S COMMITTEE ON DIRECT ACCESS

13 September 1974

Reverend Bradford N. Pusey
302 DeWitt Road
Syracuse, New York 13201

Dear Reverend Pusey:

The Commissioner's Committee on Direct Access has held its final meeting completing work on its report for the Commissioner. It is now time to submit the report.

I would like to include the names of all the persons appointed to the committee in the introductory part of the report. However, this could be embarrassing to you since you were not able to participate in most of the Committee meetings. I'm not certain whether you have had a chance to read all of the material sent to you including the draft of the final report mailed to all members in mid-August.

For that reason, I thought I would write to ask whether you have read all the material and, if so, whether you concur in its findings and recommendations. If you feel you can support the document I'd appreciate your sending me a letter indicating that you have been on top of the material even though you could not attend the meetings and that you do approve of the draft of the final report.

It may be that the press of work has made it impossible for you to follow the work of the committee as you would have liked, and therefore you may not feel you can really approve or disapprove of the report. In that instance, perhaps you'd prefer to resign instead rather than have your name listed.

At any rate, I would hope to hear from you by return mail as to your pleasure with regard to the report and your desire to be connected with it.

Sincerely yours,

Andrew Geddes, Chairman
Commissioner's Committee on Direct Access

Bradford N. Pusey
Minister 504 East Fayette Street, Syracuse, New York 13202

September 20, 1974

Mr. Andrew Geddes
The Nassau Library System
The Lower Concourse
Roosevelt Field
Garden City, New York 11530

Dear Andy -

I appreciate very much your letter of inquiry regarding the status of my membership upon the Commissioner's Committee on Direct Access. Your confusion is altogether justifiable.

In reply to your first question regarding comprehension of the final report to the Commissioner, I would indicate that it has been my practice to read and digest all mailed materials. I do feel knowledgeable as to problem of direct access but as indicated in the very first meeting there seemed to be no symptons suggesting problems in our Central Upstate Region. As for your second question pertaining to signature of members on the final report I feel it only fair to request the removal of my name. Many conflicts at the time of meeting has conspired to all but dictate my absence. I regret that fact very much and thus feel that reading and comprehending the work of a very fine committee would in no way justify affixing my name to the final report.

Thank you for your understanding. Having just been elected Chairman of the Onondaga County Public Library Committee I look forward to continuing associations in the exciting field of library services.

Cordially,

Bradford N. Pusey

BNP/ep

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ANDREW GEDDES, DIRECTOR

COMMISSIONER'S COMMITTEE ON DIRECT ACCESS

September 26, 1974

Reverend Bradford N. Pusey
504 East Fayette Street
Syracuse, New York 13202

Dear Rev. Pusey:

Thank you for responding to my letter concerning the Commissioner's Committee on Direct Access. According to your wishes I have indicated to Mrs. Legendre that your name should be listed among the membership with a note that you resigned following that listing.

I regret that your schedule made it impossible for you to participate to a greater extent. Your interest in libraries and their growth would have contributed greatly to the discussion.

I wish you every success in your new position as chairman of the Onondaga County Public Library Committee. If I can ever be of assistance, please feel free to contact me.

Sincerely yours,

Andrew Geddes
Chairman

AG:pak

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ANDREW GEDDES, DIRECTOR

13 September 1974

COMMISSIONER'S COMMITTEE ON DIRECT ACCESS

Mr. James G. Kennedy
Oneida County Commissioner of Planning
County Office Building
800 Park Avenue
Utica, New York 13501

Dear Mr. Kennedy:

The Commissioner's Committee on Direct Access has held its final meeting completing work on its report for the Commissioner. It is now time to submit the report.

I would like to include the names of all the persons appointed to the committee in the introductory part of the report. However, this could be embarrassing to you since you were not able to participate in any of the Committee meetings. I'm not certain whether you have had a chance to read all of the material sent to you including the draft of the final report mailed to all members in mid-August.

For that reason, I thought I would write to ask whether you have read all the material and, if so, whether you concur in its findings and recommendations. If you feel you can support the document, I'd appreciate your sending me a letter indicating that you have been on top of the material even though you could not attend the meetings and that you do approve of the draft of the final report.

It may be that the press of work has made it impossible for you to follow the work of the committee as you would have liked, and therefore you may not feel you can really approve or disapprove of the report. In that instance, perhaps you'd prefer to resign instead rather than have your name listed.

At any rate, I would hope to hear from you by return mail as to your pleasure with regard to the report and your desire to be connected with it.

Sincerely yours,

Andrew Geddes, Chairman
Commissioner's Committee on Direct Access

THE NASSAU LIBRARY SYSTEM

THE LOWER CONCOURSE • ROOSEVELT FIELD • GARDEN CITY, NEW YORK 11530 • 516 741-0060
ANDREW GEDDES, DIRECTOR

RE: Commissioner's Committee on Direct Access

3 October 1974

Mr. James G. Kennedy
Oneida County Commissioner of Planning
County Office Building
800 Park Avenue
Utica, New York 13501

Dear Mr. Kennedy:

On September 13, 1974, I wrote to you regarding the work of the committee and the final report which it had developed. My purpose in doing so was to determine your position on the report since you had not been able to attend meetings nor have you responded to minutes, memos or draft reports. As I indicated, I did not want your name to appear in the final report as a supporter of the report if, in conscience, you could not do so if you felt the pressure of work has not permitted you to participate in the committee's work as you might have liked to do.

Failing to hear from you by letter by October 10, 1974, I shall have to deem your non-response as an indication of your feeling that your lack of familiarity with the report and its ramifications requires your name not to be listed among the committee members supporting the final report.

Enclosed is a letter of resignation from the committee together with a self-addressed envelope you may wish to use if the letter correctly states your position.

Sincerely yours,

Andrew Geddes
Chairman

ONEIDA COUNTY

WILLIAM BRYANT
COUNTY EXECUTIVE

DEPARTMENT OF PLANNING
COUNTY OFFICE BUILDING 800 PARK AVENUE UTICA, NEW YORK 13501 TEL 315- 798-5710

JAMES G KENNEDY Commissioner
STEPHEN S OLNEY Principal Planner
MICHAEL A GAPIN Principal Planner

October 22, 1974

Mr. Andrew Geddes, Director
Nassau Library System
Lower Concourse
Roosevelt Field
Garden City, New York 11530

Dear Mr. Geddes:

Due to the pressure of personal and professional commitments, I regret that I have been unable to participate in the work of the Commissioner's Committee on Direct Access. While I have read the material you have sent and tried to keep current with the committee's progress, I have not been able to take sufficient time to be able to offer constructive suggestions applicable to solutions to access problems in our area.

I, therefore, feel it is in the best interest of all that I reluctantly tender my resignation from the committee effective October 10, 1974.

I do want to apologize for my lack of attendance and say that I appreciate the courtesies offered me during the process of preparation of the report both by committee members and staff.

Sincerely yours,

James G. Kennedy
Oneida County Commissioner of Planning

JGK/nd